

REMARKS

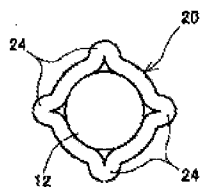
Applicant wishes to thank the Examiner for the detailed remarks. Claims 27, 30, and 32 have been amended. New claims 38-40 are presented. Accordingly, claims 27-40 are pending.

Claims 27-30 and 32 were rejected under 35 U.S.C. §112, second paragraph. Applicant respectfully submits that the claims as amended are in proper condition according to §112.

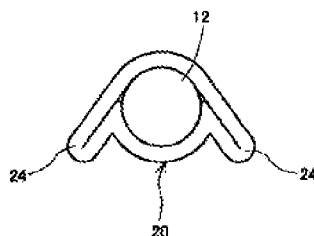
Claims 27-37 were rejected under 35 U.S.C. §102(b) as being anticipated by JP 2001301437. Applicant respectfully traverses this rejection. The JP 2001301437 abstract only discloses that “the positioning body 20 is crimped to the linear part 12 of the stabilizer main body in a state that a projecting part 24 is formed in one or more portions on the circumference of a circle.” Contrary to the Examiner’s annotated figure, Applicant’s independent claims 27 and 31 along with the dependent claims are directed to the anti-shift collar prior to a crimping operation. Thus, even under the Examiner’s expansive interpretation, JP2001301437 fails to disclose or suggest an elliptical outer perimeter yet alone a first clipped and a second clipped end formed in said elliptical outer perimeter. Each of the claims is therefore allowable for this reason alone.

Furthermore, JP 2001301437 appears to disclose a wire-like member judging by the figures as only a relatively thin wire-like member could be so formed.

【図7】



【図8】



It should also be noted that:

An abstract and the underlying document of which it is a summary are distinct documents. In a rejection, an abstract stands on its own--it does not incorporate by reference any disclosure of the underlying document. Abstracts are often not written by the author of the underlying document, and may be erroneous or misleading--in virtually all cases, they are incomplete.

Generally an abstract does not provide enough information to permit an objective evaluation of the validity of what it describes. Thus, an abstract is even less reliable a basis to extrapolate the alleged teachings of the underlying

document to different circumstances. Abstracts function to alert a reader to disclosures of possible interest. They are little more reliable than headlines or brief newspaper articles.

Citation of an abstract without citation and reliance on the underlying scientific document itself is generally inappropriate where both the abstract and the underlying document are prior art. It is our opinion that a proper examination under 37 CFR Section 1.104 should be based on the underlying documents and translations, where needed. Accordingly, the preferred practice is for the examiner to cite and rely on the underlying document.

See *Ex parte Gavin*, 62 U.S.P.Q.2D (BNA) 1680

Without a translation, the exceedingly minimal abstract is, at best, incomplete. Applicant requests that the Examiner obtain a translation to substantiate the rejection or retract the rejection.

No fees are believed due. If any additional fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

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